UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,853	09/28/2001	Franz Saller	112740-311	5331

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EXAMINER
NG, CHRISTINE Y

ART UNIT	PAPER NUMBER
2663	

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Office Action Summary	09/966,853	SALLER, FRANZ	
	Examiner	Art Unit	
	Christine Ng	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 September 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-11_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _28 September 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _9/28/01_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,772,210 to Edholm.

        Referring to claim 1, Edholm discloses a method for establishing a connection

from a network-internal terminal of a packet-based communication network to a

network-external connection destination (public to private network or private to public

network), the method comprising the steps of:

        [Figure 2B] Transmitting (request 221), via the terminal logical address

information (phone number of called VOIP device 102,110) that identifies the network-

external connection destination (VOIP device 102,110) to a central connection controller

(gatekeeper 112) provided for controlling and managing network-internal connections.

Refer to Column 5, line 63 to Column 6, line 2.

        [Figure 2B] Determining (response 222), via the connection controller, a gateway

device (gateway 106) of the communication network as the connection destination

based on the transmitted logical address information. Refer to Column 6, lines 3-9.

[Figure 2B] Establishing (not shown) a connection controlled by the connection

controller between the terminal and the gateway device. The VOIP device 102,110 and

gateway 106 can send messages such as request 223 and response 224 to each other.

[Figure 2B] Transmitting (request 223), via the terminal, the logical address

information to the gateway device. Gateway 106 uses the phone number of the called

VOIP device to determine a public network address or address/port number pair for the

called VOIP device. Refer to Column 6, lines 10-13 and Column 6, line 32 to Column 7,

line 12.

[Figure 2B] Determining (response 224), via the gateway device, a network-

externally valid transport address (public network address or address/port number pair

for the called VOIP device) which is assigned to the transmitted logical address

information. Refer to Column 6, lines 14-31 and Column 6, line 32 to Column 7, line 12.

[Figure 8] Addressing, via the gateway device, the network-external connection

destination in a relaying, packet-based communication network (VOIP network). Refer

to Column 1, lines 19-27 and Column 7, line 62 to Column 8, line 9.

[Figure 8] Relaying the connection over the relaying communication network to

the external connection destination based on the network-externally valid transport

address. Depending on which direction the communication destination is, the gateway

translates packets 801,803 into translated packets 802,804 using the public address or

public address/port number for the called VOIP number. Refer to Column 7, line 13 to

Column 8, line 9.

Referring to claim 2, Edholm discloses the steps of:

[Figure 2B] Transmitting (response 222) to the terminal (VOIP device 102,110), via the connection controller (gatekeeper 112), a network-internally valid transport address (gateway address) which is assigned to the transmitted logical address information (area code of phone number of called VOIP device) and addresses the gateway device (gateway 106). Refer to Column 6, lines 3-9.

[Figure 2B] Initiating (by sending request 223) the connection to the gateway device, via the terminal, based on the network-internally valid transport address. Refer to Column 6, lines 10-13.

Referring to claim 3, Edholm discloses the step of:

Registering the gateway device (gateway 106) as a network-internal connection destination with the connection controller (gatekeeper 112) under the logical address information (phone number of called VOIP device) that identifies the network-external connection destination (VOIP device 102,110). The gatekeeper 112 determines the gateway 106 for the VOIP connection, based upon the area code of the called phone number and sends this information to the calling VOIP device 102,110. Refer to Column 6, lines 3-13.

Referring to claim 4, Edholm discloses the step of:

[Figure 8] Transmitting the logical address information (phone number of called VOIP device) to the network-external connection destination (VOIP device 102,110) over the relaying communication network (VOIP network). Refer to Column 7, line 62 to Column 8, line 9.

Referring to claim 5, Edholm discloses the step of:

Simulating, via the gateway device (gateway 106), to the connection controller

(gatekeeper 112) that the gateway device is the destination of the connection to be

established. The gatekeeper 112 determines the gateway 106 for the VOIP connection,

based upon the area code of the called phone number and sends this information to the

calling VOIP device 102,110. Refer to Column 6, lines 3-13.

3.   Claim 11 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent

No. 6,298,062 to Gardell et al.

Gardell et al disclose in Figure 1 a gateway apparatus (12), comprising:

A first interface (connection to gatekeeper 14) conforming to a gatekeeper-

controlled communication network, the first interface conforming to ITU-T

Recommendation H.323 and being designed for operation in a gatekeeper-controlled

H.323 mode. Gateway 12 is an H.323 defined entity that converts PSTN 22 signals into

a packet-based format and passes it to gatekeeper 14. Refer to Column 4, lines 14-17.

The gatekeeper, which also uses the H.323 protocol, controls the communication

network by providing admissions control, address translation services, call control

services and route call control signals. Refer to Column 4, lines 26-43.

A second interface (connection to PSTN 22) to a further communication network

(PSTN 22) , the second interface conforming to ITU-T Recommendation H.323 and

being designed for simultaneous operation in a non-gatekeeper H.323 mode. Gateway

12 is an H.323-defined entity, and "provides signal conversion capabilities between a

switched circuit network, for example the PSTN 22, and a PBN, to support

communication therebetween". This connection is non-gatekeeper H.323 mode since it

does not interact with the gatekeeper 14. Refer to Column 4, lines 8-25.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

U.S. Patent No. 6,363,065 to Thornton et al in view of U.S. Patent No. 6,772,210 to

Edholm.

Referring to claim 6, Thornton et al disclose a packet-based communication

network, comprising:

[Figure 11] A central connection controller (gatekeeper) for controlling and

managing network-internal connections (inter-domain) and for converting logical

address information (called VOIP number) that identifies network-internal connection

destinations into network-internally valid transport addresses (network transport

addresses) for transporting data packets within the communication network. Refer to

Column 41, line 29 to Column 42, line 10. Gatekeepers provide address translation by

translating between an Alias Address (phone number) of a telephony endpoint and its

network transport address (IP address) using a routing table and descriptors. Refer to

Column 18, lines 18-38. Gatekeepers use routing tables and routing information in the

form of descriptors to resolve the called numbered into a network address within its own

domain. Refer to Column 38, lines 39-61 and Column 43, lines 10-13.

[Figure 19] A gateway device (border element) in the connection controller that

can be connected to a relaying communication network for converting logical address

information (called VOIP number) that identifies network-external connection

destinations into network-externally valid transport addresses (network transport

addresses) for transporting data packets over the relaying communication network.

When establishing a call between endpoints in Administrative Domains A and B, calling

gatekeeper 420 issues a request to border element 430 to resolve the called number

into a destination network address for the called endpoint. Refer to Column 55, lines

15-62.

Thornton et al do not disclose that the gateway device is registered as a network-

internal connection destination under logical address information that identifies a

network-external connection destination, and the external connection destination in the

gateway device is registered as a network-external connection destination under the

logical address information.

Edholm discloses that a gateway device (gateway 106) is registered as a

network-internal connection destination under the logical address information (phone

number of called VOIP device 102,110) that identifies the network-external connection

destination (VOIP device 102,110), and the external connection destination in the

gateway device is registered as a network-external connection destination under the

logical address information. The gatekeeper 112 determines the gateway 106 for the

VOIP connection, based upon the area code of the called phone number and sends this

information to the calling VOIP device 102,110. Refer to Column 6, lines 3-13. Also,

the external connection destination (called VOIP device 102,110) is registered as a

network-external connection destination under the logical address information, since the

logical address information is the phone number of the called VOIP device 102,110.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to include that the gateway device is registered as a network-

internal connection destination under logical address information that identifies a

network-external connection destination, and the external connection destination in the

gateway device is registered as a network-external connection destination under the

logical address information; the motivation being so that the logical address information

(called VOIP device number) can represent both the gateway and the destination,

thereby allowing the gateway to route the call to the destination.

Referring to claim 7, Thornton et al disclose that the central connection controller

(gatekeeper) is a gatekeeper conforming to ITU-T Recommendation H.323. Refer to

Column 18, lines 18-24.

Referring to claim 8, Thornton et al disclose that the logical address information

(called VOIP number) further comprises at least one of a prefix number (none), service

number (phone number) and a terminal directory number (none). Refer to Column 18,

lines 25-28.

Referring to claim 9, Thornton et al disclose that at least one of the network-

internally valid transport address (network transport addresses) and the network-

externally valid transport address (network transport addresses) are based on the

Internet Protocol (IP). Refer to Column 18, lines 25-28.

Referring to claim 10, Thornton et al discloses that the gateway device further

comprises an access control device for rejecting connection requests arriving from the

relaying communication network whose respective origin is not registered in the

gateway device. Thornton et al disclose that a gatekeeper may reject calls from

telephony endpoint due to an authorization failure, which may include restricted access

from particular telephony endpoints. Refer to Column 18, lines 58-63. If a endpoint is

not registered (restricted access) as part of an administrative domain, it cannot send

connection requests to the gateway of the administrative domain.

Thornton et al do not specifically disclose that this applies to connection requests

whose respective origin is not registered as a *network-external connection destination*.

However, Thornton et al discloses that each gatekeeper controls access to the

network for other telephony endpoints and other gateways that have registered with that

gatekeeper. Other gateways include endpoints in another administrative domain. Refer

to Column 18, lines 18-38. Therefore, it would have been obvious to one of ordinary

skill in the art at the time the invention was made to include that this applies to

connection requests whose respective origin is not registered as a *network-external*

connection destination; the motivation being so that each gatekeeper is only responsible

for routing calls from certain destinations inside and outside its domain; thereby

alleviating each gatekeeper through load balancing.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Ng whose telephone number is (571) 272-3124. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C. Ng ⍵
May 13, 2005

RICKY NGO
PRIMARY EXAMINER

5/15/05